

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff)	CASE NO. 05CR10224-GAO-1
)	
v.)	
)	
J.C. ANDERSON,)	
Defendant)	
)	

MOTION TO CONTINUE TRIAL DATE

Now comes the defendant and moves to continue the trial in the above-captioned matter from September 5, 2006 to a date in October 2006 (or after) convenient to the Court.

As grounds, the Defendant states the following:

- 1) The government and Defendant are continuing to discuss the possibility of a plea in this case.
- 2) The government filed an 851 in this case, based upon a thirteen-year-old conviction (March 3, 1993). This will have a significant impact on the mandatory minimum sentence Defendant faces.
- 3) Defendant, on August 22, 2006, filed a motion to vacate this prior conviction in Brockton District Court; however, this motion has not yet been heard.
- 4) The decision regarding whether a plea is appropriate cannot be reasonably made until the Motion to Vacate is decided in Brockton District Court, as this will dramatically affect Defendant's exposure in this case.

Therefore, Defendant requests that a continuance be granted so that he can weigh all the relevant factors, and understand his potential exposure before making the decision whether to plea or go to trial.

Respectfully Submitted,
J.C. ANDERSON,
By his attorneys,

//s// Jessica D. Hedges
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CERTIFICATE OF SERVICE

I, Stephen Hrones, hereby certify that I have served a copy of this motion, where unable to do so electronically, by first class mail on all counsel of record.

//s// Stephen B. Hrones
Stephen B. Hrones